IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2492 OF 2005

Mrs. Praveen Bano w/o Masood Ahmed and ors.
....Petitioners.

Vs.

The State of Maharashtra and ors.
....Respondents.

Mr.S.B. Pawar with Mr.G.H.Keluskar for the Petitioners.

Ms. U.V. Kejriwal, A.P.P. for the Respondent No.1.

Mr.L.K.Tripathi for the Respondent No.2.

Mr.A.J.Rizwi for Respondent Nos. 2 to 8.

CORAM :R.M.S.KHANDEPARKAR &
R.S.MOHITE, JJ.
DATED :DECEMBER 22, 2005.

P.C.

1. Rule.

2. Rule made returnable forthwith by consent of the parties.

3. We have heard the learned advocates for the parties. We have also heard the respondent No.2 who is present in person, She has confirmed that the parties have arrived at amicable settlement and she is not interested in pursuing her complaint which she had filed against her husband and therefore, she wants to withdraw the said complaint. The learned advocate for the respondent No.2 also stated that the

complaint be allowed to be withdrawn as prayed for as the parties have arrived at amicable settlement between themselves.

4. The learned advocate for the petitioners placing reliance on the decision of **B.S. Joshi and others Vs. State of Haryana and another reported in A.I.R.2003 S.C.Page 138** submitted that since the offences complained of are not compoundable and as the parties have arrived at amicable settlement, it would be desirable in the interest of the parties, to quash the F.I.R. as it would result in allowing the parties to live happily. Considering the facts of the case and confirmation of the respondent No.2 about her desire not to proceed with the criminal proceeding against the petitioners and bearing in mind law laid down by the Apex Court in B.S. Joshi's case, we are of the considered opinion that it would be desirable to quash the F.I.R. as prayed for and therefore, we allow the petition in terms of prayer clause (b).

5. Rule is made absolute in the above terms. No order as to costs.

(R.M.S.KHANDEPARKAR, J.)

(R. S. MOHITE, J.)